

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

No. 1:21-cr-40

Plaintiff,

Hon. Robert J. Jonker

v.

Chief United States District Judge

CHRISTOPHER ALLAN BODEN,

Defendant.

**DEFENDANT CHRISTOPHER A. BODEN'S BRIEF IN SUPPORT OF
MOTION FOR DOWNWARD VARIANCE**

INTRODUCTION

Extraordinary. That is the best word that describes Christopher Boden, the life-long work he began as an 18-year old at The Geek Group, and the impact he and The Geek Group had on the Westside community and people around the world. *Extraordinary* also describes the level of downward variance we respectfully ask this Court to consider when Mr. Boden is sentenced on February 25, 2022.¹ A term of probation of five years would constitute a sufficient sentence that is not greater than necessary to achieve the purposes set forth in 18 U.S.C. § 3553(a).

Attached as exhibits are 52 letters received in support of Mr. Boden. The authors of these letters know Mr. Boden's character—some from arms-length interactions and others through his personal lifestyle, professional accomplishments, and global virtual presence on videos that

¹ While the final Presentence Investigation Report ("PSR") has not been issued, we anticipate that the only advisory guideline scoring factor that will be in dispute is whether Mr. Boden should be assessed 2 or 4 points for his Role in the Offense pursuant to §3B1.1.

inspire, educate, and entertain others. As the letters illustrate, Mr. Boden has been, and continues to be, a crucial resource for countless students, families, and individuals in his community—near and far. That community would be best served if Mr. Boden were permitted to continue being such a consistently useful resource while on a term of supervised probation.

ARGUMENT

Chris Boden's life's work has been to educate, inspire, and above all, to help people in his community—whether that community is Mr. Boden's Westside neighborhood, the international membership base of The Geek Group, or the worldwide viewership of his educational videos. These are not mere platitudes. As the dozens of letters submitted by people impacted by Mr. Boden's work illustrate, Chris "walks the walk." His work has improved hundreds of lives in a variety of ways with lasting results. And that improvement, through his life's mission to inspire, educate and entertain others, did not end when the Government executed a search warrant at The Geek Group in December 2018, triggering the demise of The Geek Group and the sale of its building and science equipment, nor with the Government's Indictment in February 2021.

As illustrated by the sample of letters from those positively impacted by Mr. Boden and his work, our community is best served when Chris Boden can contribute to it as he has on a day-to-day basis since he was 18 years' old. As one letter notes, "Chris in a prison cell does little good to anyone." (Ex. 1, Howland Ltr.) Another notes that Mr. Boden "brings a light to our community that cannot be replaced. We need more people like Chris in our world than ever right now; please do not take away his light." (Ex. 2, Christopher Ltr.) Indeed, incarcerating Mr. Boden would deprive a substantial number of people from his education, inspiration, and assistance.

I. Mr. Boden's working life has been dedicated to expanding access to education to everyone.

A. Mr. Boden walks the walk when it comes to improving access to education.

For decades, Mr. Boden has worked to make science and technology education accessible to everyone. Accessibility was a primary focus of The Geek Group, the nonprofit Mr. Boden founded in 1994, when he was 18 years old. The Geek Group “offer[ed] people a canvas to explore otherwise inaccessible dreams in a tech environment,” noted one former member who saw The Geek Group as “a flicker of light in a dark world.” (Ex. 3, Rokus Ltr.) That access “led to many [people] greatly expanding their knowledge and abilities, and to have hope in areas that they never could have because of access to technology at a level not commonly available.” (*Id.*)

The Geek Group provided that access by making “[t]ools and equipment . . . available for people to try doing things they’d never have an opportunity to attempt.” (Ex. 4, Kidwell Ltr.) Michael Loftis observed that “Chris’ goal . . . [was] to provide access to a vast array of specialist tools, equipment and knowledge.” (Ex. 5, Loftis Ltr.) Mr. Loftis wonders “[h]ow many other places in the country would open their doors and give the proverbial keys to over a million dollars of tools and equipment for any reason or price and say ‘Go make something, go learn something.’” (*Id.*)

Mr. Boden’s former teacher, Kent Blohm, recalls that Chris had then explained to him in the 1990s that his goal was to “refurbish discarded technology and give [it] to kids who needed [it].” (Ex. 6, Blohm Ltr.) Even then, Mr. Blohm was “inspired by” Mr. Boden’s “energy and determination to bring science education to underserved students.” (*Id.*)

Mr. Boden’s determination to bring science to underserved students has never waned. John Howland, the chief maintenance officer for Commonwealth Power, explained that Chris has

“assisted [him] on multiple occasions in keeping 100 year old electric dams up and functioning, providing true green power to . . . Kent and Barry counties. His specialized skills and knowledge are a true blessing.” (Ex. 1, Howland Ltr.) Characteristically, Chris leverages his help on the hydroelectric dams to educate others: “In return for his services, he has asked for only one thing. Let him shoot video so he can teach the world about Physics, Electricity, Civil Engineering, Carbon Free Electricity[,] and hopefully inspire young people.” (*Id.*)

Mr. Boden and the rest of The Geek Group did not limit access to dues-paying members. As Justin Atkin and others recounted, Chris, through The Geek Group, “helped organize the donation of thousands of laptops and computers, preloaded with everything a student could need, to many of the children and families of Grand Rapids.” (Ex. 7, Atkin Ltr.).² This was one way Chris worked “to make sure that no student would get left behind because they lacked the technology required in modern education.” (*Id.*) The far-reaching benefits of the laptop-donation program is illustrated by the number of people who recounted its impact on the community. (*See* Ex. 4, Kidwell Ltr.; Ex. 2, Christopher Ltr.; Ex. 6, Blohm Ltr.; Ex. 7 Atkin Ltr.; Ex. 8, Manalo Ltr.; Ex. 9, Bosscher Ltr.; Ex. 10, Stack Ltr.; Ex. 11, Stratton Ltr.; Ex. 12, Buchanan Ltr.; Ex. 13, Doll Ltr.; Ex. 14, Kuyt Ltr.; Ex. 15, Plusa Ltr.; Ex. 16, Jackson Ltr.; Ex. 17, Hagans Ltr.; Ex. 18, Simpkins Ltr.; Ex. 19, Brechting Ltr.; Ex. 20, Resor Ltr.; Ex. 21, Tardiff Ltr.; Ex. 22, Baumwollspinner Ltr.; Ex. 23 Rolfe Ltr.)

Mr. Boden also opened The Geek Group’s doors to other nonprofits. The Geek Group hosted the Open Doors Center for Self-Directed Teens—a resource center for teens engaged in self-directed learning. (Ex. 10, Stack Ltr.) Jessica Tardiff also touted The Geek Group’s hosting

² Some of the many laptop giveaways that Mr. Boden orchestrated have been captured on video and are available on YouTube. Links to those videos are available at Exhibit 53.

of the Open Doors Center, which “catered to students with nonstandard learning styles that made other schools a poor fit.” (Ex. 21, Tardiff Ltr.) Indeed, “Chris offered The [Geek Group’s] space to any other nonprofit that needed a meeting spot, at no charge, for years. . . . Chris would show up on Sundays to open the building just so that the model rocket group could meet there, and the Grand River Woodturners Guild grew from a few people to an international audience because we broadcast their meetings live over the internet using our equipment. Thousands of people with a wide array of interests were hosted over the years, and we encouraged it to help build up the community.” (Ex. 10, Stack Ltr.; *see also* Ex. 2, Christopher Ltr., Ex. 4, Kidwell Ltr.; Ex. 21, Tardiff Ltr.; Ex. 24, Wilson Ltr.; Ex. 25, Steffens Ltr.)

Indeed, the extraordinary number and variety of letters supporting Mr. Boden make clear that he and The Geek Group’s employees and volunteers worked to educate anyone who came through the door. Daniel Eakin recounted a time when a concerned mother arrived at The Geek Group with her son, who had a small sample of radioactive material with him:

Silently and swiftly, without question or condemnation, Boden scooped the sample up with a sample container[,] . . . sat the kid down and proceeded to spend the next few hours educating him about safety, procedure, and how to specifically bring a bit of calm [to] his single mom’s existence.

All other actionable items at the lab became instantaneously meaningless By the time the kid left, ‘mom’ was infinitely more at ease [Ex. 26, Eakin Ltr.]

Several others recounted similar anecdotes of Mr. Boden’s eagerness to educate anyone who walked through The Geek Group’s doors.

That eagerness tangibly improved the lives Mr. Boden touched. Brent Goodman discovered The Geek Group through YouTube in 2010 and began visiting The Geek Group’s building in 2014. “I would stop in periodically to purchase surplus servers, equipment racks and other network equipment to set up my own home lab to play around in and make the academic

stuff I was learning in school real.” (Ex. 27, Goodman Ltr.) “No matter how short on cash” Mr. Goodman found himself, “Chris always worked something out” with him. (*Id.*) Chris’s “goal was inspiring people and getting equipment into the hands of those that would appreciate it and use it.” (*Id.*) These efforts are not trivial. As Mr. Goodman explained, “Chris and the Geek Group helped me accelerate my career advancement.”

Over the course of nearly 25 years, The Geek Group attracted hundreds of volunteers—like Mr. Boden’s co-defendants—who gave their blood, sweat, and tears (not to mention their time and money) to The Geek Group’s mission of making science, technology, and the trades more accessible. Dr. Amy Stratton was one of those volunteers, and a former board member of The Geek Group. (*See* Ex. 11, Stratton Ltr.) She had a front-row seat to Mr. Boden’s work at The Geek Group:

I have observed the many school groups, boy scout and girl scout groups, and public groups who were treated to tours of the facility and who were encouraged to be excited about science by the many demonstrations that were performed.

. . . .

I saw so many young people[,] inspired by the things they saw and learned at the facility, go into science and technology careers.

I saw the staff produce thousands of educational videos that have been seen and inspiring to thousands of people all over the world. [*Id.*]

B. Mr. Boden’s commitment to an inclusive educational space on Grand Rapids’ Westside has tangibly improved many lives.

The story of The Geek Group’s contributions is best told through the stories of what its members, employees, and volunteers gained from their time there. Kathryn Christopher, another member of The Geek Group’s board of directors, recounted the “genuine sense of community that is hard to find in today’s world.” (Ex. 2, Christopher Ltr.) Ms. Christopher notes, “[i]t is

difficult to live your life as an outcast, but at TGG everyone's abilities and differences were celebrated. It was the type of place that gave a sense of belonging to the kids who were bullied in high school because they weren't athletes and liked to tinker instead of talk." (*Id.*) Likewise, Paul Kidwell, the former Chairman of the Board of Directors at The Geek Group, explained that The Geek Group "created a place where geeks and nerds could be appreciated for their abilities" in a world where many of those people are viewed as "awkward outcasts." (Ex. 4, Kidwell Ltr.) Jessica Tardiff offered a firsthand example: When she discovered The Geek Group in 2013 through its YouTube videos, she explains, "I wasn't doing very well. I was never exactly the best at making friends at school, and by my senior year, I was pretty much a social outcast. It was easier to dive into books, the internet, and old tech than to waste time and effort trying to make myself someone I wasn't to fit in." (Ex. 21, Tardiff Ltr.)

Ms. Tardiff was not alone in finding a community at The Geek Group. When Mark Rokus discovered The Geek Group, he found "a collection of likeminded people with a desire for knowledge and a thirst for an outlet to experience things that would be otherwise inaccessible to them." (Ex. 3, Rokus Ltr.) Steven Winterhalter found that "The Geek Group helped intelligent yet socially awkward, misfit, oddball people acquire a sense of belonging and identity as members of The Geek Group." (Ex. 28, Winterhalter Ltr.) These are just a few examples of the tangible benefits of the work Mr. Boden has done to foster an inclusive space to learn.

Those benefits did not stop at the Grand Rapids city limits. Sean Donnelly "found lifelong friends and resources" as well as "a sense of belonging" in The Geek Group's online community from his home state of Pennsylvania. (Ex. 29, Donnelly Ltr.) Andrew Cole found the same from his hometown of Winnipeg, Manitoba. (Ex. 30, Cole Ltr.) Farther still was Ran Baumwollspinner, who discovered Mr. Boden's work through YouTube from his home in Israel.

(Ex. 22, Baumwollspinner Ltr.) He appreciated Mr. Boden’s “sincere approach to teach and simplify complex scientific knowledge into simple language that every child and adult could understand.” (*Id.*) The benefits of Mr. Boden’s work to increase access to science and technical education around the world cannot be felt if he is incarcerated.

II. Inspiring others.

Mr. Boden also worked relentlessly to inspire people around the world to pursue their own educational and vocational interests. Brad Wilmot has never met Mr. Boden in person, as Mr. Wilmot is legally blind and, like Mr. Boden, cannot travel without substantial difficulty. (Ex. 31, Wilmot Ltr.) But that has not stopped Mr. Boden from reaching him. “I have spent my entire life being told that I can’t do something because I can’t see very well. I never received that attitude from Mr. Boden. He was the teacher we all wish we had growing up.” (*Id.*) “He kept my spirits high during some pretty tough times, and I know I’m not the only one.” (*Id.*)

Mr. Wilmot is right—he was not the only one. Julia Paige described seeing “the faces of children stunned and wowed by the awesome power of electricity, by science and technology[,] and all that we as humans are able to control and contribute. Chris was always getting people excited about knowledge and empowering them to understand that . . . knowledge is for everyone, despite circumstance or social status.” (Ex. 32, Paige Ltr.) “Chris took it as his personal mission to get kids excited about science, technology, and the trades,” Joseph Brechting explained. (Ex. 19, Brechting Ltr.) “[H]e and the other staff would take time to answer every single question the students asked. Additionally, Chris, myself, and another staff member also built a project for the Make-A-Wish Foundation, including a gigantic model volcano with lava, smoke, and all.” (*Id.*)

Mr. Boden also impacted people through his work explaining science and technology remotely through YouTube. Justin Atkin discovered Mr. Boden through The Geek Group's YouTube channel. (Ex. 7, Atkin Ltr.) Mr. Atkin now runs one of the top 750 YouTube science channels globally and employs three people, a feat he explains "never would have been possible without Chris." (*Id.*) Mark Edward McGough, who lives in Australia, found Chris through YouTube and found that "Chris has made such a great impact on my life for the better, so much so that I traveled from the exact opposite side of the planet, traveling over 11,000 miles in 36 hours, to volunteer at the Geek Group." (Ex. 33, McGough Ltr.)

Mr. Boden's work has empowered others to pursue their own careers in fields of their interest. Josh Schulte is one example: "I've been watching Chris on YouTube since I was in Junior High (I'm now a college graduate)" (Ex. 35, Schulte Ltr.) Watching Mr. Boden's videos help Mr. Schulte find his passions. "Through nothing but a screen, he influenced me to pursue my lifelong career as a power Lineman." (*Id.*) Daniel Eakin is another:

The time I gave to the lab and working to inspire (and be inspired by) the people at the lab paid itself back in dividends. I would go on to become an engineer at a firm working with Chrysler, the Administrative Manager at a Data center, a security engineer at an annuity firm, [and, among other jobs], a Vice President at a bank specializing in Governance Risk and Compliance [D]ue to Boden's influences, I rose to heights that frankly to this day still shock me. [Ex. 26, Eakin Ltr.]

James Luck is yet another. He met Mr. Boden through The Geek Group's YouTube channel around 2013, when he was still in his early teens. (Ex. 36, Luck Ltr.) He credits his interactions with Mr. Boden for his pursuit of learning nuclear physics and engineering. (*Id.*)

Mr. Boden empowered Brian Haskin as The Geek Group's I.T. Director. Brian had just been diagnosed with terminal brain cancer, losing an eye and a portion of his brain by the time he discovered The Geek Group. Brian came to The Geek Group in search of purpose, a place to

belong, a job that mattered, and a sense of normalcy. Mr. Boden cared about giving Brian a chance. Brian loved the work and the environment where people treated him like “just one of the guys.” The computer lab at The Geek Group was named in Brian’s memory. (*See* Ex. 34, Rochon Ltr.)

Chris continues to empower people to pursue further education and training in science and technology. Jack David Singer explains that Mr. Boden’s videos “inspired me to attempt making a Tesla coil in the 7th grade. . . . The feeling of accomplishment that I gained from this experience inspired my continued interest in science and technology, and today I am pursuing a career in that field. I wouldn’t be where I am today if it was not for Chris Boden.” (Ex. 37, Singer Ltr.)

III. Helping others.

Above all else, Mr. Boden seeks to help people. Several Westsiders explained that The Geek Group was a brick-and-mortar safe haven in their neighborhood. “The building was a place of safety and refuge to the community. During power outages or extreme weather, people were able to seek refuge to cool down/warm up as needed and charge their phones. Cots were offered to anyone in a dire enough situation with nowhere to go to stay overnight and use the showers in one of the old locker rooms.” (Ex. 10, Stack Ltr.; *see also* Ex. 2, Christopher Ltr.; Ex. 4, Kidwell Ltr.; Ex. 11, Stratton Ltr.; Ex. 19, Brechting Ltr.; Ex. 33, McGough Ltr.; Ex. 38 Takacs-Britz Ltr.; Ex. 39, Berry; Ex. 40, Meyer Ltr.)

Westside resident Leah Buchanan wrote to explain how Chris “made a *huge* change in our lives” on the west side. (Ex. 12, Buchanan Ltr.) “He reached out to the neighborhood and *helped* anyone and everyone who needed it. Your kid needs a computer? Go see Chris! You need a warm place to sit when your power was out? Go see Chris! Hot summer weather too

much for you to be out in? Chris has an air-conditioned building and bottled water for anyone who needed it.” (*Id.*)

Vivian Berry holds herself out as “a first hand example of the good Chris can help accomplish.” (Ex. 39 Berry Ltr.) “I was a single mother leaving an abusive relationship and [The Geek Group] provided free job training and a quiet place to use the internet to job hunt or decompress with other people. Boden himself put tools in my hands and helped me learn about how things work and how to fix them when they don’t.” (*Id.*) “[W]hen I had a housing crisis during the first months of the COVID pandemic, Chris reached out to me and helped me and my family avoid homelessness.” (*Id.*) In the middle of the pandemic, Chris alone made it possible for her and her family to get out of the weekly-rate motel they were stuck in and get into a house they could afford to start building a new life. Ms. Berry saw that she was not alone in receiving help:

Chris really made an impact on the lives of the people in our neighborhood. I’ve seen him get groups of people to clear fallen trees for the elderly and handicapped after storms. I’ve seen him give kids a safe place to study, play games, or learn new skills in a neighborhood where the pastime for their age group was graffiti and petty crime. I never saw him turn away anyone that asked for help and saw him often seeking out solutions to help the people and businesses nearby. [*Id.*]

Marcie Potts offers another example. She “ran a home for six ladies with developmental disabilities[,] one of [whom] loved to play games on her laptop computer.” (Ex. 41, Potts Ltr.) One day, that computer broke. The woman had a “very limited income and could not afford to buy a new computer or have it fixed at a computer repair shop. (*Id.*) Ms. Potts called Chris. “[W]ithout hesitation he told me to bring it to him, [and] he had his team fix the computer at no charge and it was returned to the young lady the next day.” (*Id.*) “Chris will never understand

what it [meant] to this young woman to have her computer back so quickly and in full working condition.” (*Id.*)

Chris’s acts of kindness and assistance were not limited to his friends and neighbors. Ran Baumwollspinner, for example, lives in Israel. “When there was a war in my country . . . Christopher Boden offered me his house, his personal house, to come with my family and stay with him. He didn’t ask for anything in return. I never took him up on his offer, but he moved me deeply.” (Ex. 22, Baumwollspinner Ltr.) Sean Donnelly, a member of The Geek Group’s online community from Pennsylvania, recently found himself in a tight spot. (Ex. 29, Donnelly Ltr.) He “was having some serious money troubles, [and] was on the verge of being evicted.” (*Id.*) Donnelly reached out to Boden, who told him “he knew what it was like to struggle with funding, and that he didn’t have the money himself but would try to help me.” Boden held a fundraiser on his nightly live YouTube broadcast to help. (*Id.*)

The accounts go on. “In the early 2000’s, [Chris] and his group voluntarily helped install and build my downtown Community Art Gallery and Theatre.” (Ex. 13, Doll Ltr.) “More recently, at my home, he noticed that the electrical work in my garage was dangerously unsafe. For free, Chris tore out the old and rewired it, with additional surprise amenities, bringing it up to code with an electrician friend. On top of that, without prompting, he pointed out three other tasks needing attention he would like to do for me. That’s just who Chris is.” (*Id.*)³

“Even [Mr. Boden’s] car is a rolling automotive garage,” Patty Lynn Jackson explained. “He carries medical equipment and supplies, tools, fuel, jacks, parts just to assist motorists he

³ Whenever Mr. Boden leaves his home he carries with him a “hack sack” that he designed himself containing a variety of tools, flashlights, and other assorted things that allows him to assist others in need. The hack sack is extraordinary, and we may seek an order from this Court to bring it to the Courtroom for the sentencing hearing.

encounters stranded on highways.” (Ex. 42, P. Jackson Ltr.; *see also* Ex. 53, YouTube Video Links.) Jack David Singer illustrated how Mr. Boden’s work to help others can spread. After watching Mr. Boden’s video demonstrating his roadside emergency kit and explaining his philosophy that “we are all in this together,” Jack assembled his own roadside emergency kit. (Ex. 37, Singer Ltr.) On May 8, 2021, Mr. Singer saw a woman and her children stranded on the side of the road. “For the briefest of moments, my thoughts were focused on annoyance. Why would someone stop on the side of the road like this? But then, another thought replaced it: What would Chris Boden do?”” (*Id.*) Although Jack is no mechanic, he parked his car and helped the woman push her car to safety. “I would not have done this if it were not for Chris Boden’s video. I do not think of myself as an uncaring person, but I would normally assume that people who were stopped on the sides of roads had cell phones to help them out. Chris Boden made me reevaluate that mindset.” (*Id.*) “I wish I had more exciting stories of saving someone’s day with a zip-tie fix, or an epic tale of pulling someone out of a ditch so they would get to a job interview on time, but I don’t. At least not yet.” (*Id.*)

CONCLUSION

Mr. Boden has worked his entire adult life to educate, inspire, and help anyone he can reach. His work continues to make a tangible impact in the lives of hundreds of people to this day. Incarcerating Mr. Boden will only serve to deprive our community of one of its most resourceful, useful, vibrant, and extraordinary community servants. Mr. Boden respectfully requests a downward variance from the expected PSR score.

Dated: February 8, 2022

/s/ Brian P. Lennon

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CERTIFICATE OF COMPLIANCE

I hereby certify that the Defendants' Brief in Support of Motion for Downward Variance complies with the word-count limitations and the local rules of this Court. The brief contains 4,251 words of 12-point type. The word processing software used to prepare this brief was Microsoft Word.

Dated: February 8, 2022

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